

eral Energy Administration; except that after such Administration ceases to exist, such term means any officer of the United States designated by the President for purposes of this part” has been omitted in view of termination of Federal Energy Administration and transfer of its functions and functions of Administrator thereof (with certain exceptions) to Secretary of Energy pursuant to sections 301(a), 703, and 707 of Pub. L. 95-91, which are classified to sections 7151(a), 7293, and 7297 of this title and the fact that the term “Secretary” is defined for the purposes of this subchapter by par. (3) of this section. In this part, “Secretary of Energy” has been substituted for “Administrator” wherever it appears.

TRANSFER OF FUNCTIONS

“Secretary of Energy” substituted for “Administrator”, meaning Administrator of Federal Energy Administration, in subsec. (a) pursuant to sections 301(a), 703, and 707 of Pub. L. 95-91, which are classified to sections 7151(a), 7293, and 7297 of this title and which terminated Federal Energy Administration and transferred its functions and functions of Administrator thereof (with certain exceptions) to Secretary of Energy.

CHAPTER 82—SOLID WASTE DISPOSAL

SUBCHAPTER I—GENERAL PROVISIONS

- | | |
|--|---|
| <p>Sec.
6901. Congressional findings.
 (a) Solid waste.
 (b) Environment and health.
 (c) Materials.
 (d) Energy.
6901a. Congressional findings: used oil recycling.
6902. Objectives and national policy.
 (a) Objectives.
 (b) National policy.
6903. Definitions.
6904. Governmental cooperation.
 (a) Interstate cooperation.
 (b) Consent of Congress to compacts.
6905. Application of chapter and integration with other Acts.
 (a) Application of chapter.
 (b) Integration with other Acts.
 (c) Integration with the Surface Mining Control and Reclamation Act of 1977.
6906. Financial disclosure.
 (a) Statement.
 (b) Action by Administrator.
 (c) Exemption.
 (d) Penalty.
6907. Solid waste management information and guidelines.
 (a) Guidelines.
 (b) Notice.
6908. Small town environmental planning.
 (a) Establishment.
 (b) Small Town Environmental Planning Task Force.
 (c) Identification of environmental requirements.
 (d) Small Town Ombudsman.
 (e) Multi-media permits.
 (f) “Small town” defined.
 (g) Authorization.
6908a. Agreements with Indian tribes.</p> | <p>Sec.
6912. Authorities of Administrator.
 (a) Authorities.
 (b) Revision of regulations.
 (c) Criminal investigations.
6913. Resource Recovery and Conservation Panels.
6914. Grants for discarded tire disposal.
 (a) Grants.
 (b) Authorization of appropriations.
6914a. Labeling of lubricating oil.
6914b. Degradable plastic ring carriers; definitions.
6914b-1. Regulation of plastic ring carriers.
6915. Annual report.
6916. General authorization.
 (a) General administration.
 (b) Resource Recovery and Conservation Panels.
 (c) Hazardous waste.
 (d) State and local support.
 (e) Criminal investigators.
 (f) Underground storage tanks.
6917. Office of Ombudsman.
 (a) Establishment; functions.
 (b) Authority to render assistance.
 (c) Effect on procedures for grievances, appeals, or administrative matters.
 (d) Termination.</p> |
|--|---|

SUBCHAPTER II—OFFICE OF SOLID WASTE; AUTHORITIES OF THE ADMINISTRATOR

- | | |
|--|---|
| <p>6911. Office of Solid Waste and Interagency Coordinating Committee.
 (a) Office of Solid Waste.
 (b) Interagency Coordinating Committee.
6911a. Assistant Administrator of Environmental Protection Agency; appointment, etc.</p> | <p>6921. Identification and listing of hazardous waste.
 (a) Criteria for identification or listing.
 (b) Identification and listing.
 (c) Petition by State Governor.
 (d) Small quantity generator waste.
 (e) Specified wastes.
 (f) Delisting procedures.
 (g) EP toxicity.
 (h) Additional characteristics.
 (i) Clarification of household waste exclusion.
6922. Standards applicable to generators of hazardous waste.
 (a) In general.
 (b) Waste minimization.
6923. Standards applicable to transporters of hazardous waste.
 (a) Standards.
 (b) Coordination with regulations of Secretary of Transportation.
 (c) Fuel from hazardous waste.
6924. Standards applicable to owners and operators of hazardous waste treatment, storage, and disposal facilities.
 (a) In general.
 (b) Salt dome formations, salt bed formations, underground mines and caves.
 (c) Liquids in landfills.
 (d) Prohibitions on land disposal of specified wastes.
 (e) Solvents and dioxins.
 (f) Disposal into deep injection wells; specified subsection (d) wastes; solvents and dioxins.
 (g) Additional land disposal prohibition determinations.
 (h) Variance from land disposal prohibitions.
 (i) Publication of determination.
 (j) Storage of hazardous waste prohibited from land disposal.
 (k) “Land disposal” defined.
 (l) Ban on dust suppression.
 (m) Treatment standards for wastes subject to land disposal prohibition.
 (n) Air emissions.
 (o) Minimum technological requirements.
 (p) Ground water monitoring.
 (q) Hazardous waste used as fuel.</p> |
|--|---|

SUBCHAPTER III—HAZARDOUS WASTE MANAGEMENT

Sec.		Sec.	
	(r) Labeling.		(d) Permits.
	(s) Recordkeeping.	6936.	Expansion during interim status.
	(t) Financial responsibility provisions.		(a) Waste piles.
	(u) Continuing releases at permitted facilities.		(b) Landfills and surface impoundments.
	(v) Corrective action beyond facility boundary.	6937.	Inventory of Federal agency hazardous waste facilities.
	(w) Underground tanks.		(a) Program requirement; submission; availability; contents.
	(x) Mining and other special wastes.		(b) Environmental Protection Agency program.
	(y) Munitions.		
6925.	Permits for treatment, storage, or disposal of hazardous waste.	6938.	Export of hazardous wastes.
	(a) Permit requirements.		(a) In general.
	(b) Requirements of permit application.		(b) Regulations.
	(c) Permit issuance.		(c) Notification.
	(d) Permit revocation.		(d) Procedures for requesting consent of receiving country.
	(e) Interim status.		(e) Conveyance of written consent to exporter.
	(f) Coal mining wastes and reclamation permits.		(f) International agreements.
	(g) Research, development, and demonstration permits.		(g) Reports.
	(h) Waste minimization.		(h) Other standards.
	(i) Interim status facilities receiving wastes after July 26, 1982.	6939.	Domestic sewage.
	(j) Interim status surface impoundments.		(a) Report.
			(b) Revisions of regulations.
			(c) Report on wastewater lagoons.
			(d) Application of sections 6927 and 6930.
6926.	Authorized State hazardous waste programs.	6939a.	Exposure information and health assessments.
	(a) Federal guidelines.		(a) Exposure information.
	(b) Authorization of State program.		(b) Health assessments.
	(c) Interim authorization.		(c) Members of the public.
	(d) Effect of State permit.		(d) Priority.
	(e) Withdrawal of authorization.		(e) Periodic reports.
	(f) Availability of information.		(f) "Health assessments" defined.
	(g) Amendments made by 1984 act.		(g) Cost recovery.
	(h) State programs for used oil.		
6927.	Inspections.	6939b.	Interim control of hazardous waste injection.
	(a) Access entry.		(a) Underground source of drinking water.
	(b) Availability to public.		(b) Actions under Comprehensive Environmental Response, Compensation, and Liability Act.
	(c) Federal facility inspections.		(c) Enforcement.
	(d) State-operated facilities.		(d) Definitions.
	(e) Mandatory inspections.		
6928.	Federal enforcement.	6939c.	Mixed waste inventory reports and plan.
	(a) Compliance orders.		(a) Mixed waste inventory reports.
	(b) Public hearing.		(b) Plan for development of treatment capacities and technologies.
	(c) Violation of compliance orders.		(c) Schedule and progress reports.
	(d) Criminal penalties.	6939d.	Public vessels.
	(e) Knowing endangerment.		(a) Waste generated on public vessels.
	(f) Special rules.		(b) Computation of storage period.
	(g) Civil penalty.		(c) Definitions.
	(h) Interim status corrective action orders.		(d) Relationship to other law.
6929.	Retention of State authority.	6939e.	Federally owned treatment works.
6930.	Effective date.		(a) In general.
	(a) Preliminary notification.		(b) Prohibition.
	(b) Effective date of regulation.		(c) Enforcement.
6931.	Authorization of assistance to States.		(d) "Federally owned treatment works" defined.
	(a) Authorization of appropriations.		(e) Savings clause.
	(b) Allocation.		
	(c) Activities included.		
6932.	Transferred.		
6933.	Hazardous waste site inventory.		
	(a) State inventory programs.		
	(b) Environmental Protection Agency program.		
	(c) Grants.		
	(d) No impediment to immediate remedial action.		
6934.	Monitoring, analysis, and testing.		
	(a) Authority of Administrator.		
	(b) Previous owners and operators.		
	(c) Proposal.		
	(d) Monitoring, etc., carried out by Administrator.		
	(e) Enforcement.		
6935.	Restrictions on recycled oil.		
	(a) In general.		
	(b) Identification or listing of used oil as hazardous waste.		
	(c) Used oil which is recycled.		

SUBCHAPTER IV—STATE OR REGIONAL SOLID WASTE PLANS

6941.	Objectives of subchapter.
6941a.	Energy and materials conservation and recovery; Congressional findings.
6942.	Federal guidelines for plans.
	(a) Guidelines for identification of regions.
	(b) Guidelines for State plans.
	(c) Considerations for State plan guidelines.
6943.	Requirements for approval of plans.
	(a) Minimum requirements.
	(b) Discretionary plan provisions relating to recycled oil.
	(c) Energy and materials conservation and recovery feasibility planning and assistance.

- | | |
|--|--|
| <p>Sec.</p> <p>6944. (d) Size of waste-to-energy facilities.
Criteria for sanitary landfills; sanitary landfills required for all disposal.
(a) Criteria for sanitary landfills.
(b) Disposal required to be in sanitary landfills, etc.
(c) Effective date.</p> <p>6945. Upgrading of open dumps.
(a) Closing or upgrading of existing open dumps.
(b) Inventory.
(c) Control of hazardous disposal.</p> <p>6946. Procedure for development and implementation of State plan.
(a) Identification of regions.
(b) Identification of State and local agencies and responsibilities.
(c) Interstate regions.</p> <p>6947. Approval of State plan; Federal assistance.
(a) Plan approval.
(b) Eligibility of States for Federal financial assistance.
(c) Existing activities.</p> <p>6948. Federal assistance.
(a) Authorization of Federal financial assistance.
(b) State allotment.
(c) Distribution of Federal financial assistance within the State.
(d) Technical assistance.
(e) Special communities.
(f) Assistance to States for discretionary program for recycled oil.
(g) Assistance to municipalities for energy and materials conservation and recovery planning activities.</p> <p>6949. Rural communities assistance.
(a) In general.
(b) Allotment.
(c) Limit.
(d) Authorization of appropriations.</p> <p>6949a. Adequacy of certain guidelines and criteria.
(a) Study.
(b) Report.
(c) Revisions of guidelines and criteria.</p> <p style="text-align: center;">SUBCHAPTER V—DUTIES OF SECRETARY OF
COMMERCE IN RESOURCE AND RECOVERY</p> <p>6951. Functions.</p> <p>6952. Development of specifications for secondary materials.</p> <p>6953. Development of markets for recovered materials.</p> <p>6954. Technology promotion.</p> <p>6955. Marketing policies, establishment; non-discrimination requirement.</p> <p>6956. Authorization of appropriations.</p> <p style="text-align: center;">SUBCHAPTER VI—FEDERAL RESPONSIBILITIES</p> <p>6961. Application of Federal, State, and local law to Federal facilities.
(a) In general.
(b) Administrative enforcement actions.
(c) Limitation on State use of funds collected from Federal Government.</p> <p>6962. Federal procurement.
(a) Application of section.
(b) Procurement subject to other law.
(c) Requirements.
(d) Specifications.
(e) Guidelines.
(f) Procurement of services.
(g) Executive Office.
(h) "Recovered materials" defined.
(i) Procurement program.</p> <p>6963. Cooperation with Environmental Protection Agency.
(a) General rule.
(b) Information relating to energy and materials conservation and recovery.</p> | <p>Sec.</p> <p>6964. Applicability of solid waste disposal guidelines to Executive agencies.
(a) Compliance.
(b) Licenses and permits.</p> <p>6965. Chief Financial Officer report.</p> <p style="text-align: center;">SUBCHAPTER VII—MISCELLANEOUS PROVISIONS</p> <p>6971. Employee protection.
(a) General.
(b) Remedy.
(c) Costs.
(d) Exception.
(e) Employment shifts and loss.
(f) Occupational safety and health.</p> <p>6972. Citizen suits.
(a) In general.
(b) Actions prohibited.
(c) Notice.
(d) Intervention.
(e) Costs.
(f) Other rights preserved.
(g) Transporters.</p> <p>6973. Imminent hazard.
(a) Authority of Administrator.
(b) Violations.
(c) Immediate notice.
(d) Public participation in settlements.</p> <p>6974. Petition for regulations; public participation.
(a) Petition.
(b) Public participation.</p> <p>6975. Separability.</p> <p>6976. Judicial review.
(a) Review of final regulations and certain petitions.
(b) Review of certain actions under sections 6925 and 6926 of this title.</p> <p>6977. Grants or contracts for training projects.
(a) General authority.
(b) Purposes.</p> <p>6978. Payments.
(a) General rule.
(b) Prohibition.</p> <p>6979. Labor standards.</p> <p>6979a. Transferred.</p> <p>6979b. Law enforcement authority.</p> <p style="text-align: center;">SUBCHAPTER VIII—RESEARCH, DEVELOPMENT,
DEMONSTRATION, AND INFORMATION</p> <p>6981. Research, demonstration, training, and other activities.
(a) General authority.
(b) Management program.
(c) Authorities.</p> <p>6982. Special studies; plans for research, development, and demonstrations.
(a) Glass and plastic.
(b) Composition of waste stream.
(c) Priorities study.
(d) Small-scale and low technology study.
(e) Front-end source separation.
(f) Mining waste.
(g) Sludge.
(h) Tires.
(i) Resource recovery facilities.
(j) Resource Conservation Committee.
(k) Airport landfills.
(l) Completion of research and studies.
(m) Drilling fluids, produced waters, and other wastes associated with the exploration, development, or production of crude oil or natural gas or geothermal energy.
(n) Materials generated from the combustion of coal and other fossil fuels.
(o) Cement kiln dust waste.
(p) Materials generated from extraction, beneficiation, and processing of ores and minerals, including phosphate rock and overburden from uranium mining.</p> |
|--|--|

- Sec.
- (q) Authorization of appropriations.
 - (r) Minimization of hazardous waste.
 - (s) Extending landfill life and reusing landfilled areas.
6983. Coordination, collection, and dissemination of information.
- (a) Information.
 - (b) Library.
 - (c) Model accounting system.
 - (d) Model codes.
 - (e) Information programs.
 - (f) Coordination.
 - (g) Special restriction.
6984. Full-scale demonstration facilities.
- (a) Authority.
 - (b) Time limitation.
 - (c) Cost sharing.
 - (d) Prohibition.
6985. Special study and demonstration projects on recovery of useful energy and materials.
- (a) Studies.
 - (b) Demonstration.
 - (c) Application of other sections.
6986. Grants for resource recovery systems and improved solid waste disposal facilities.
- (a) Authority.
 - (b) Conditions.
 - (c) Limitations.
 - (d) Regulations.
 - (e) Additional limitations.
 - (f) Single State.
6987. Authorization of appropriations.
- SUBCHAPTER IX—REGULATION OF UNDERGROUND STORAGE TANKS
6991. Definitions and exemptions.
- 6991a. Notification.
- (a) Underground storage tanks.
 - (b) Agency designation.
 - (c) State inventories.
- 6991b. Release detection, prevention, and correction regulations.
- (a) Regulations.
 - (b) Distinctions in regulations.
 - (c) Requirements.
 - (d) Financial responsibility.
 - (e) New tank performance standards.
 - (f) Effective dates.
 - (g) Interim prohibition.
 - (h) EPA response program for petroleum.
- 6991c. Approval of State programs.
- (a) Elements of State program.
 - (b) Federal standards.
 - (c) Financial responsibility.
 - (d) EPA determination.
 - (e) Withdrawal of authorization.
- 6991d. Inspections, monitoring, testing, and corrective action.
- (a) Furnishing information.
 - (b) Confidentiality.
- 6991e. Federal enforcement.
- (a) Compliance orders.
 - (b) Procedure.
 - (c) Contents of order.
 - (d) Civil penalties.
- 6991f. Federal facilities.
- (a) Application of subchapter.
 - (b) Presidential exemption.
- 6991g. State authority.
- 6991h. Study of underground storage tanks.
- (a) Petroleum tanks.
 - (b) Other tanks.
 - (c) Elements of studies.
 - (d) Farm and heating oil tanks.
 - (e) Reports.
 - (f) Reimbursement.
- 6991i. Authorization of appropriations.
- SUBCHAPTER X—DEMONSTRATION MEDICAL WASTE TRACKING PROGRAM
6992. Scope of demonstration program for medical waste.

- Sec.
- (a) Covered States.
 - (b) Opt out.
 - (c) Petition in.
 - (d) Expiration of demonstration program.
- 6992a. Listing of medical wastes.
- (a) List.
 - (b) Exclusions from list.
- 6992b. Tracking of medical waste.
- (a) Demonstration program.
 - (b) Small quantities.
 - (c) On-site incinerators.
 - (d) Type of medical waste and types of generators.
- 6992c. Inspections.
- (a) Requirements for access.
 - (b) Procedures.
 - (c) Availability to public.
- 6992d. Enforcement.
- (a) Compliance orders.
 - (b) Criminal penalties.
 - (c) Knowing endangerment.
 - (d) Civil penalties.
 - (e) Civil penalty policy.
- 6992e. Federal facilities.
- (a) In general.
 - (b) "Person" defined.
- 6992f. Relationship to State law.
- (a) State inspections and enforcement.
 - (b) Retention of State authority.
 - (c) State forms.
- 6992g. Repealed.
- 6992h. Health impacts report.
- 6992i. General provisions.
- (a) Consultation.
 - (b) Public comment.
 - (c) Relationship to subchapter III.
- 6992j. Effective date.
- 6992k. Authorization of appropriations.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 300h–6, 300h–7, 2022, 2114, 4365, 4368b, 5919, 7412, 7429, 8302, 9601, 9604, 9613, 9614, 9619, 6920, 9621, 9627, 9659, 9660, 14323 of this title; title 7 section 136q; title 10 sections 2708, 7311; title 16 section 460///; title 18 section 1956; title 25 section 3908; title 26 section 468; title 30 section 1292; title 33 sections 1319, 2602, 2622, 2718; title 49 section 14901.

SUBCHAPTER I—GENERAL PROVISIONS

§ 6901. Congressional findings

(a) Solid waste

The Congress finds with respect to solid waste—

(1) that the continuing technological progress and improvement in methods of manufacture, packaging, and marketing of consumer products has resulted in an ever-mounting increase, and in a change in the characteristics, of the mass material discarded by the purchaser of such products;

(2) that the economic and population growth of our Nation, and the improvements in the standard of living enjoyed by our population, have required increased industrial production to meet our needs, and have made necessary the demolition of old buildings, the construction of new buildings, and the provision of highways and other avenues of transportation, which, together with related industrial, commercial, and agricultural operations, have resulted in a rising tide of scrap, discarded, and waste materials;

(3) that the continuing concentration of our population in expanding metropolitan and